

DIGEST SUPPLEMENT

To Legislative Digest and History of Bills **Edition No. 1 Supplement No. 24***

FIFTY-EIGHTH LEGISLATURE

Friday, February 13, 2004

33rd Day - 2004 Regular

SENATE	HOUSE
SB 5412-S3 SB 5874-S SB 6701-S SB 6110-S SB 6321-S SB 6322-S SB 6322-S SB 6483-S SB 6570-S SB 6592-S SB 6596-S SB 6599-S SB 6601-S SB 6609-S SB 6638-S SB 6642-S SB 6642-S SB 6676-S	HB 2449-S HB 2730-S HB 213-S2 HB 2458-S HB 2460-S HB 2776-S HB 2475-S HB 2475-S HB 2478-S HB 2776-S HB 2783-S HB 2479-S HB 2784-S HB 2830-S HB 2582-S HB 2635-S HB 2635-S HB 2635-S HB 2670-S HB 3057-S HB 2712-S HB 3062-S HB 2714-S HB 3082-S HB 2714-S HB 3112-S2

LIST OF BILLS IN EDITION NO. 1 SUPPLEMENTS

House Bills

HB 2449-S by House Committee on Health Care (originally sponsored by Representatives Cody, Morrell and Schual-Berke)

Concerning increasing a health profession's scope of practice.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that, with respect to increasing the scope of practice of licensed or regulated health professions, it is the intent of this act to ensure that practitioners are able to provide health care services to the extent that they are qualified and that adequate public access to health services is maintained. The scope of practice for a health profession should be increased only when: (1) The training and education received by the profession is adequate to protect the health, safety, and welfare of the public; and

(2) It is determined that the service to be added to the profession's scope of practice provides a health benefit to the recipient of the service.

-- 2004 REGULAR SESSION --

Feb 4 HC - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Feb 6 Passed to Rules Committee for second reading.

HB 2458-S by House Committee on Transportation (originally sponsored by Representatives Hatfield and Buck)

Extending the motor vehicle width limit for recreational vehicle appurtenances.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that campers, motor homes, and travel trailers may exceed the maximum width established by RCW 46.44.010 if the excess width is attributable to an appurtenance that extends no more than six inches beyond the body of the vehicle and is affixed to the side of the vehicle at such a height that it does not impair the ability of the driver to see to the rear of the vehicle. For purposes of this provision, the term "appurtenance" is limited to awnings and support hardware.

-- 2004 REGULAR SESSION --

Feb 9 TR - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Feb 10 Passed to Rules Committee for second reading.

HB 2460-S by House Committee on Health Care (originally sponsored by Representatives Cody, Campbell, Kessler, Morrell, Haigh, Kenney, Santos, Hatfield, Blake, Linville, Upthegrove, G. Simpson, Moeller and Lantz)

Providing access to health insurance for small employers and their employees.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides access to health insurance for small employers and their employees.

-- 2004 REGULAR SESSION --

- Feb 5 HC Majority; 1st substitute bill be substituted, do pass.
 Minority; do not pass.
- Feb 6 Passed to Rules Committee for second reading.

HB 2475-S by House Committee on Transportation (originally sponsored by Representative Murray; by request of Department of Transportation)

Facilitating enforcement of toll violations.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises provisions relating to toll evasion.

-- 2004 REGULAR SESSION --

- Feb 4 TR Majority; 1st substitute bill be substituted, do pass.
- Feb 6 Passed to Rules Committee for second reading.

HB 2478-S by House Committee on Financial Institutions & Insurance (originally sponsored by Representatives Cooper, Sump, Hinkle and Chase)

Concerning underground petroleum storage tanks.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises provisions regulating underground petroleum storage tanks.

-- 2004 REGULAR SESSION --

- Feb 4 FII Majority; 1st substitute bill be substituted, do pass.
- Feb 6 Referred to Appropriations.
- Feb 9 APP Executive action taken by committee.

APP - Majority; do pass 1st substitute bill proposed by Financial Institutions & Insurance.

Feb 10 Passed to Rules Committee for second reading.

HB 2479-S by House Committee on Fisheries, Ecology & Parks (originally sponsored by Representatives Kagi, Hinkle, Cooper and Upthegrove)

Concerning burn bans for solid fuel burning devices.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Establishes pm 2.5 burn ban triggers and enforcement. Provides that, for the purpose of enforcement on a complaint basis, it is unlawful for emissions, other than uncombined water vapor, from a solid fuel burning device to visibly enter a neighboring property.

-- 2004 REGULAR SESSION --

Feb 5 FEP - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Feb 6 Passed to Rules Committee for second reading.

Feb 11 Placed on second reading by Rules Committee.

HB 2491-S by House Committee on Judiciary (originally sponsored by Representatives Lantz, Carrell and Holmquist)

Modifying dishonored check provisions.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises dishonored check provisions.

-- 2004 REGULAR SESSION --

Feb 5 JUDI - Majority; 1st substitute bill be substituted, do pass.

Feb 6 Passed to Rules Committee for second reading.

HB 2500-S by House Committee on Finance (originally sponsored by Representative McIntire; by request of Department of Revenue)

Conforming Washington's tax structure to portions of the streamlined sales and use tax agreement not implemented by chapter 168, Laws of 2003. Revised for 1st Substitute: Conforming Washington's tax structure to the streamlined sales and use tax agreement.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Conforms Washington's tax structure to portions of the streamlined sales and use tax agreement not implemented by chapter 168, Laws of 2003.

-- 2004 REGULAR SESSION --

Feb 6 FIN - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second reading.

HB 2582-S by House Committee on Health Care (originally sponsored by Representatives Linville, Bailey, Cody and Campbell)

Pertaining to interim permits for speech-language pathologists and audiologists. Revised for 1st Substitute: Providing for interim permits for speech-language pathologists and audiologists.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Amends RCW 18.35.060 relating to interim permits for speech-language pathologists and audiologists.

-- 2004 REGULAR SESSION --

Feb 4 HC - Majority; 1st substitute bill be substituted, do pass.

Feb 6 Passed to Rules Committee for second reading.

Feb 10 Made eligible to be placed on second reading.

HB 2618-S by House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Linville, Schoesler, Holmquist, Grant and Sump)

Concerning commodity commissions.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires that findings and a recommended decision must be posted on the commission's web site. Affected parties who do not have internet access may request notification by mail. If the director's recommended decision does not include changes to the proposal, notification must be made by mail in the form of a postcard. If the decision includes changes to the proposal, notification must be made by mail in the form of a letter describing the changes and how to obtain copies of the full text of the order. If the commission does not have a web site, notification must be made by mail in the form of a postcard or letter, as applicable.

-- 2004 REGULAR SESSION --

Feb 4 AGNR - Majority; 1st substitute bill be substituted, do pass.

Feb 6 Passed to Rules Committee for second reading.

HB 2635-S by House Committee on Trade & Economic Development (originally sponsored by Representatives Pettigrew, Skinner, Jarrett, Clibborn, McDonald, Veloria, Anderson, Chase, Morrell and Rockefeller)

Authorizing port districts to provide consulting services. Revised for 1st Substitute: Authorizing port districts to provide limited consulting services.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that a port district may receive compensation for consulting services it provides on matters within the scope of Title 53 or Title 14 RCW.

Declares that a port district may provide these services only to other public agencies and governments, including foreign governments and government-sponsored organizations. A port district providing consulting services must create and maintain an open roster of Washington firms interested in bidding on opportunities generated as a result.

-- 2004 REGULAR SESSION --

Feb 5 TED - Majority; 1st substitute bill be substituted, do pass.

Feb 6 Passed to Rules Committee for second reading.

Feb 10 Made eligible to be placed on second reading.

HB 2660-S by House Committee on Judiciary (originally sponsored by Representatives G. Simpson, Carrell, McMahan, Lovick, Kenney and Wallace; by request of Office of the Lieutenant Governor)

Revising provisions involving alcohol-related offenses.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that, as a condition of granting a deferred prosecution petition on any alcohol-related case, the court shall also order the installation of an ignition interlock under RCW 46.20.720.

Declares that the required periods of use of the interlock shall be not less than the periods provided for in RCW 46.20.720(2) (a), (b), and (c).

Provides that, if, based upon notification from the interlock provider or otherwise, the department determines that an interlock required under RCW 46.20.720 is no longer installed or functioning as required, the department shall suspend the person's license or privilege to drive. Whenever the license or driving privilege of any person is suspended or revoked as a result of noncompliance with an ignition interlock requirement, the suspension shall remain in effect until the person provides notice issued by a company doing business in the state that a vehicle owned or operated by the person is equipped with a functioning ignition interlock device.

-- 2004 REGULAR SESSION --

Feb 5 JUDI - Majority; 1st substitute bill be substituted, do pass.

Feb 6 Passed to Rules Committee for second reading.

HB 2670-S by House Committee on Local Government (originally sponsored by Representatives Moeller, Sullivan, Morrell, Hinkle, Chase, McCoy, Cox, Clibborn, Condotta, Lovick, G. Simpson, Linville and Rockefeller)

Concerning veterans and veterans' relief. Revised for 1st Substitute: Studying matters affecting the administration of the veterans' assistance fund.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares an intent that each county develop programs or procedures that are consistent with the welfare of the indigent and suffering veteran and eligible family members and that adequately include the veterans' community at large and provide for the public good.

Recognizes that the current practices of the counties in providing relief to indigent veterans and their families must not be disrupted. Counties, with or without veterans' advisory boards, may continue practices and programs that:

(1) Provide services to veterans other than financial assistance and aid;

- (2) Allow the use of nonprofit organizations and coalitions to provide indigent veterans' services;
- (3) Allow funding from collections made under RCW 73.08.080 to support current programs providing life changing services; and
- (4) Allow funding from collections made under RCW 73.08.080 to reimburse the county for reasonable administrative costs of providing veterans' services.

Expires July 1, 2005.

Directs the joint committee on veterans' and military affairs, created in RCW 73.04.150, to conduct a study of matters affecting the administration of the veteran's assistance fund and shall inform the governor and the legislature on its findings. The joint committee on veterans' and military affairs shall meet in the interim preceding the 2005 legislative session to study, investigate, and weigh the

options available with regard to providing relief to indigent veterans and their families.

Expires July 1, 2005.

-- 2004 REGULAR SESSION --

- Feb 5 LG Majority; 1st substitute bill be substituted, do pass.
- Feb 6 Passed to Rules Committee for second reading.
- Feb 10 Made eligible to be placed on second reading.

HB 2672-S by House Committee on Commerce & Labor (originally sponsored by Representatives Moeller, Santos, Cox, Chase, Condotta and Lovick)

Concerning the effective date of local fireworks ordinances.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Directs the chief of the Washington state patrol, through the director of fire protection, to convene a task force to assess whether county and city governments should be authorized, when adopting ordinances more restrictive than state law, to have these ordinances go into effect sooner than one year after adoption.

Requires the task force to submit recommendations to the legislature by December 1, 2004.

-- 2004 REGULAR SESSION --

- Feb 5 CL Majority; 1st substitute bill be substituted, do pass.
 Minority; do not pass.
- Feb 6 Passed to Rules Committee for second reading.

HB 2708-S by House Committee on Higher Education (originally sponsored by Representatives Ormsby, Kenney, Cox, Fromhold, Moeller, Dickerson, Chase, Lantz, Morrell, Wood, Hudgins and Kagi)

Creating conditional scholarships for prospective teachers. Revised for 1st Substitute: Providing for conditional scholarships and loan repayments for prospective teachers.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that the board may select participants based on an application process conducted by the board or the board may utilize selection processes for similar students in cooperation with the professional educator standards board or the office of the superintendent of public instruction.

Declares that priority will be given to individuals seeking certification or an additional endorsement in math, science, technology, or special education.

Provides that, upon documentation of federal student loan indebtedness, the board may enter into agreements with participants to repay all or part of a federal student loan in exchange for teaching service in an approved educational program. The ratio of loan repayment to years of teaching service for the loan repayment program shall be the same as established for the conditional scholarship program.

Creates the future teachers conditional scholarship account in the custody of the state treasurer.

Requires the board to deposit in the account all moneys received for the program. The account shall be self-sustaining and consist of funds appropriated by the

legislature for the future teachers conditional scholarship and loan repayment program, private contributions to the program, and receipts from participant repayments.

Provides that, beginning July 1, 2004, the board shall also deposit into the account: (1) All funds from the institution of higher education loan account that are traceable to any conditional scholarship program for teachers or prospective teachers established by the legislature before the effective date of this act; and

(2) All amounts repaid by individuals under any such program.

Repeals RCW 28B.102.070 and RCW 28B.102.905.

-- 2004 REGULAR SESSION --

Feb 4 HE - Majority; 1st substitute bill be substituted, do pass.

Feb 6 Referred to Appropriations.

Feb 9 APP - Executive action taken by committee.

APP - Majority; do pass 1st substitute bill proposed by Higher Education.

Feb 10 Passed to Rules Committee for second reading.

HB 2712-S by House Committee on Health Care (originally sponsored by Representatives Morrell, Cody, Darneille, Moeller, Clibborn, McIntire, Chase and Conway)

Creating a task force on nurses' work environment and patient safety.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Directs the secretary of health to convene a task force on nurses' work environment to prepare a report to the legislature and propose measures aimed at improving patient safety by addressing the features of nurses' current work environments related to patient safety, patient outcomes, nurse job satisfaction, and nurse retention.

Requires the task force to issue its report to the legislature by January 1, 2005.

-- 2004 REGULAR SESSION --

Feb 4 HC - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Feb 6 Passed to Rules Committee for second reading.

HB 2714-S by House Committee on Transportation (originally sponsored by Representatives Edwards, Mielke, Clibborn, Lovick, Flannigan, Chase, Jarrett, Cody, Haigh, Wood, Skinner, McIntire, Rockefeller and Kagi)

Increasing safety for senior drivers. Revised for 1st Substitute: Studying safety improvements for senior drivers.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires the department of licensing, in cooperation with the age and driving advisory committee established in this act, to conduct a study of the effects of aging on driving ability to develop a comprehensive approach to licensing drivers and certification of driver fitness.

Directs the department to appoint the age and driving advisory committee to participate in the study.

Provides that the committee shall assist the department in reviewing existing studies and other available information to identify where gaps exist in understanding the issues and potential solutions associated with an aging driving population, and to develop recommendations for administrative and legislative action.

Requires the department to provide a status report to the legislature on December 1, 2004, and a final report on October 1, 2005.

-- 2004 REGULAR SESSION --

Feb 9 TR - Majority; 1st substitute bill be substituted, do pass.

Minority; without recommendation.

Feb 10 Passed to Rules Committee for second reading.

HB 2730-S by House Committee on Local Government (originally sponsored by Representatives Clibborn, Ericksen, Moeller, Schindler, Morris, Ahern, Fromhold, Mielke, Quall and Talcott)

Modifying impact fee provisions.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that impact fees for residential construction shall only be collected by the county, city, or town imposing the impact fee either: (1) At the time of final inspection of the residence. A final inspection shall be conditioned on the payment of the impact fees; or

(2) At the time the certificate of occupancy is issued. Issuance of a certificate of occupancy shall be conditioned on the payment of the impact fees.

-- 2004 REGULAR SESSION --

Feb 5 LG - Majority; 1st substitute bill be substituted, do pass.

Minority; without recommendation.

Feb 6 Passed to Rules Committee for second reading.

HB 2745-S by House Committee on Technology, Telecommunications & Energy (originally sponsored by Representatives Miloscia, Nixon, G. Simpson, Talcott, Rockefeller and Upthegrove; by request of Secretary of State)

Enhancing integrity of voting systems.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that before each state primary or general election logic and accuracy testing of precinct-based systems or electronic voting devices must be performed by the county under the observation of the office of the secretary of state during the process of final preparation before system distribution to each pollsite.

Provides that, after all tests are performed and the machine is ready for distribution, the machine must be sealed and the seal number recorded. The procedure described in this act will serve as the official logic and accuracy test of these devices.

Directs the secretary of state to empanel a task force of elections and computer security experts to be known as the "Washington Voting Systems Board" to study and determine the potential for election fraud.

Provides that all poll-site based electronic voting devices shall produce an individual paper record, at the time of voting, that may be reviewed by the voter before finalizing his or her vote. This record may not be removed from the polling place and must be machine readable for counting purposes. If the device is programmed to display the ballot in multiple languages, the paper record produced must be printed in the language used by each voter.

Declares that paper records produced by poll-site based electronic voting devices are subject to all of the requirements of chapter 29A.44 RCW and chapter 29A.60 RCW for ballot handling, preservation, reconciliation, transit to the counting center, and storage. The paper records must be preserved in the same manner and for the same period of time as ballots.

Requires that ballot counting systems must be secured physically and electronically against unauthorized access.

Provides that anyone who removes a paper record produced by a poll-site based electronic voting system from a polling place without authorization is guilty of a class C felony punishable under RCW 9A.20.021.

Declares that nothing in this act prevents the state of Washington, its counties, or its voters from participating in the Secure Electronic Registration and Voting Experiment (SERVE) as authorized by PL 107-107, Title 16, section 1604 and chapter 17, Laws of 2003 1st sp. sess. including system certification, voter registration, and voting.

-- 2004 REGULAR SESSION --

Feb 4 TTE - Majority; 1st substitute bill be substituted, do pass.

Minority; without recommendation.

Feb 6 Passed to Rules Committee for second reading.

HB 2753-S by House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Linville and Rockefeller)

Creating a joint legislative forest management work group and requiring final sustainable harvest levels to be adopted by rule.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that the management of the state-owned forests, including the calculation of sustainable harvest levels, must be carefully balanced to provide economic benefits to the trust beneficiaries, protection to the state's natural resources, and support to the state's rural communities.

Creates the joint legislative forest management work group to meet in the interim preceding the 2005 legislative session to study, investigate, and weigh the options available to the state with regard to third-party certification of state-owned forests.

Requires that any recommendations from the work group must be reported to the legislature in the form of suggested legislation prior to the start of the 2005 legislative session.

Requires the department of natural resources to prepare a report by December 13, 2004, for the joint legislative forest management work group created in this act that compares the preferred final sustainable harvest level identified by the board of natural resources with the standards identified by any third-party sustainable forestry certification organizations that have completed a full or partial certification audit by the date the report required by this section is due of the forest management practices applied to state-owned forest lands.

Provides that the board of natural resources shall not adopt a new final sustainable harvest level until the report required by this section is completed and has been submitted to the joint legislative forest management work group.

-- 2004 REGULAR SESSION --

Feb 6 AGNR - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second reading.

HB 2776-S by House Committee on Commerce & Labor (originally sponsored by Representatives Cody, McCoy, Conway, Wood, Hudgins, Crouse, Kagi, Kenney, McMorris, Murray and McIntire)

Concerning problem gambling.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that it is the policy of the state of Washington to set a dedicated source of funding to increase treatment services for problem gamblers, training in the identification and treatment of problem gambling, public awareness and education regarding problem gambling, and specific education and treatment programs regarding problem gambling for adolescents.

Provides that, during the 2003-2005 fiscal biennium, the commission shall transfer five hundred thousand dollars from the gambling revolving fund to the problem gambling treatment account created in this act.

Provides that, during the 2003-2005 fiscal biennium, the commission shall transfer five hundred thousand dollars from the state lottery account, from funds allotted for promotion of lottery games, to the problem gambling treatment account created in this act.

Establishes a task force on funding the treatment of problem gambling.

Requires the task force to develop a recommendation to the legislature regarding: (1) The scope of the need for problem gambling prevention and treatment based on the experience of other states with problem gambling treatment programs and research findings;

- (2) A mechanism for all who conduct legal gambling and gaming activities to contribute equitably to funding for prevention and treatment of problem gambling; and
- (3) A mechanism to ensure that funding for treatment of problem gambling increases in proportion to increases in gambling activities.

Requires the task force to report its findings and recommendations to the legislature by December 1, 2004.

Appropriates the sum of one million dollars, or as much thereof as may be necessary, for the biennium ending June 30, 2005, from the problem gambling treatment fund to the department of social and health services for the purposes of the problem gambling program under RCW 43.20A.890.

-- 2004 REGULAR SESSION --

Feb 5 CL - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Feb 6 Referred to Appropriations.

Feb 10 APP - Executive action taken by committee.

APP - Majority; 2nd substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second reading.

HB 2783-S by House Committee on Trade & Economic Development (originally sponsored by Representatives Pettigrew, Skinner, O'Brien, Jarrett, Sullivan, Priest, Hunt, Cooper, Conway, Cairnes, Eickmeyer, Kirby, G. Simpson, Ruderman, Schual-Berke, Chase, Lantz, Kenney, Morrell, Wood and Murray)

Providing a property tax exemption for nonprofits that assist small businesses.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that the real and personal property owned or used by a nonprofit organization is exempt from taxation if the property is used to: (1) Assist startup and expanding businesses by providing education, training, and employment of economically disadvantaged people; and

(2) Provide shared use of equipment and work areas and daily technical resources and daily management support services that enable small startup and expanding businesses to become successful.

-- 2004 REGULAR SESSION --

Feb 6 TED - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass. Referred to Finance.

Feb 10 FIN - Executive action taken by committee. FIN - Majority; do pass 1st substitute bill proposed by Trade & Economic Development.

Passed to Rules Committee for second reading.

HB 2784-S by House Committee on Trade & Economic Development (originally sponsored by Representatives Pettigrew, Skinner, O'Brien, Conway, Hunt, Cooper, Cairnes, Eickmeyer, Jarrett, Sullivan, Kirby, G. Simpson, Ruderman, Hatfield, Moeller, Chase, Kenney, Morrell, Hudgins and Murray)

Creating the small business incubator program.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares it is the policy of the state of Washington to assist in the creation and expansion of innovative small commercial enterprises that produce marketable goods and services through the employment of residents, the use of technology, and the application of best management practices. This policy is to be implemented through the use of small business incubators.

-- 2004 REGULAR SESSION --

Feb 5 TED - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Feb 6 Referred to Appropriations.

Feb 9 APP - Executive action taken by committee.

APP - Majority; do pass 1st substitute bill proposed by Trade & Economic Development.

Feb 10 Passed to Rules Committee for second reading.

HB 2813-S by House Committee on Judiciary (originally sponsored by Representatives Flannigan, Mastin, Pettigrew, McCoy, Jarrett, Lantz, Moeller, Newhouse, Clibborn, Hudgins, O'Brien, Kirby and Chase)

Establishing the recording of custodial interrogations pilot project.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Creates the recording of custodial interrogations pilot project.

Declares that the purpose of the pilot project is to study the use of audio and video recording of interrogations of arrested persons as a means to ensure the most accurate gathering of evidence for use in criminal proceedings, increase accountability and credibility of all participants in the criminal justice system, and potentially reduce or avoid costs to the criminal justice system.

Requires the criminal justice training commission to submit a report on the results of the pilot project to the legislature by December 1, 2007.

-- 2004 REGULAR SESSION --

Feb 5 JUDI - Majority; 1st substitute bill be substituted, do pass.

Minority; without recommendation.

Feb 6 Referred to Appropriations.

HB 2830-S by House Committee on Transportation (originally sponsored by Representatives Hudgins, Jarrett, Hatfield, Mielke, Wallace and Nixon)

Authorizing a fee for the review of driving records.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Authorizes the director to enter into a contractual agreement with an insurance company or its agent for the limited purpose of reviewing the driving records of existing policyholders for changes to the record during specified periods of time. The department shall establish a fee for this service, which shall be deposited in the highway safety fund. The fee for this service must be set at a level that will not result in a net revenue loss to the state.

Declares that any information provided under this act, shall be treated in the same manner and subject to the same restrictions as certified abstracts.

-- 2004 REGULAR SESSION --

Feb 9 TR - Majority; 1st substitute bill be substituted, do pass.

Feb 10 Passed to Rules Committee for second reading.

HB 2843-S2 by House Committee on Appropriations (originally sponsored by Representatives Sommers, Kenney, Cox, Fromhold, Sehlin, Priest, Chase, McCoy, Ormsby and Lantz)

Creating the Cascadia State University at Bothell. Revised for 1st Substitute: Creating the University of Washington Bothell.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Affirms continued strong support for Washington's community and technical college system and the two plus two model of education that provides access to baccalaureate degrees throughout the state.

Finds that creation of an additional four-year institution would complement the existing structure and provide additional options for students.

Declares an intent to create the University of Washington Bothell, a four-year campus with the mission of a comprehensive university.

Directs the University of Washington to convene a transition work group to identify implementation issues and recommend solutions associated with the new designation of the University of Washington Bothell.

Requires the work group to address the following issues as well as others identified by the work group: (1) The phase-in of lower-division courses;

- (2) An enrollment plan that provides adequate capacity for community college transfer students;
- (3) Appropriate levels of state general fund support and tuition and fees for the campus, commensurate with its role and mission; and
- (4) Identification of any start-up costs to implement the transition.

Provides that, if the work group determines that the proposed transition for the campus has a direct or indirect impact on the facilities, students, faculty, or programs of Cascadia Community College, the University of Washington shall involve representatives from the college in discussions regarding the impact.

Requires the work group to submit a progress report to the higher education and fiscal committees of the senate and house of representatives by December 15, 2004.

-- 2004 REGULAR SESSION --

Feb 9 APP - Majority; 2nd substitute bill be substituted, do pass.

Minority; without recommendation.

Feb 10 Passed to Rules Committee for second reading.

HB 2893-S by House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Orcutt, Hatfield, Sump, Blake, Kristiansen and Pearson)

Providing timelines for the forest riparian easement program.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Establishes timelines for the forest riparian easement program.

-- 2004 REGULAR SESSION --

Feb 6 AGNR - Majority; 1st substitute bill be substituted, do pass.

Minority; without recommendation.

Referred to Capital Budget.

HB 2931-S by House Committee on Appropriations (originally sponsored by Representatives Campbell, Schual-Berke, Rockefeller, Cody and Wallace)

Using the health professions account for professional education and recruitment and retention. Revised for 1st

Substitute: Using the health professions account for efforts affecting the health professions and patients.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that the board or commission of any individual health profession listed in RCW 18.130.040(2)(b), in consultation with the secretary, may spend resources that exceed the cost of administering and maintaining that profession's program. The secretary is responsible for determining whether an individual profession meets this requirement.

Provides that funds may be spent to support activities that promote efforts affecting the profession and the patients that they serve including, expediting the processing and investigation of complaints of unprofessional conduct, hiring additional staff to investigate and adjudicate complaints of unprofessional conduct, assuring compliance with orders of the board or commission as necessary to protect the public, upgrading systems and resources to accelerate the disciplinary process, and recruiting and retaining quality health care providers.

-- 2004 REGULAR SESSION --

Feb 10 APP - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second reading.

HB 2969-S2 by House Committee on Appropriations (originally sponsored by Representatives O'Brien, Miloscia, Lovick, Linville, McDonald, D. Simpson and Rockefeller)

Expanding the convicted offender DNA data base.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Expands the convicted offender DNA data base.

Provides that every adult or juvenile individual must have a biological sample collected for purposes of DNA identification analysis if he or she: (1) Has been convicted, or adjudicated guilty of an equivalent juvenile offense, of any of the following crimes: (a) Any felony; (b) stalking under RCW 9A.46.110; (c) harassment under RCW 9A.46.020; (d) communicating with a minor for immoral purposes under RCW 9.68A.090; (e) patronizing a prostitute under RCW 9A.88.110;

- (2) Has been charged with any of the following crimes or equivalent juvenile offenses, but pled guilty to another offense: (a) Any felony; (b) patronizing a prostitute under RCW 9A.88.110; or
- (3) Has been found not guilty by reason of insanity for any crime listed in this act.

Provides that the act shall be null and void if appropriations are not approved.

-- 2004 REGULAR SESSION --

Feb 9 APP - Majority; 2nd substitute bill be substituted, do pass.

Minority; do not pass.

Feb 10 Passed to Rules Committee for second reading.

HB 3054-S by House Committee on Transportation (originally sponsored by Representatives G.

Simpson, Skinner, Hankins, Wood, Rockefeller, Clibborn, Hatfield, Clements, Armstrong and Delvin)

Restoring the vehicle tire fee.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Creates the vehicle tire recycling account within the state treasury. After the deposit of funds into the motor vehicle account as provided for in RCW 70.95.510(3) and the state patrol highway account as provided for in RCW 70.95.510(4), the remaining funds received under RCW 70.95.510(1) must be deposited into the vehicle tire recycling account and used by the department of ecology for purposes including but not limited to those specified in RCW 70.95.535. The department of revenue shall deduct two percent from the funds collected under RCW 70.95.510 for the purpose of administering and collecting the fee from new replacement tire retailers.

Requires that no less than twenty-three percent of the funds contained in the vehicle tire recycling account must be awarded to county governments for removal of illegal waste tire piles.

Provides that county governments that are recipients of the enforcement program grant funding must submit an annual report to the department of ecology for each year the grant funding is expended, detailing the uses of the funds and including information on what enforcement activities were supported with the grant funds.

-- 2004 REGULAR SESSION --

Feb 9 TR - Majority; 1st substitute bill be substituted, do pass.

Minority; without recommendation.

Feb 10 Passed to Rules Committee for second reading.

HB 3057-S by House Committee on Commerce & Labor (originally sponsored by Representatives Conway, Wood, McCoy, Kenney, Condotta and Chase; by request of Department of Labor & Industries)

Conforming the social security offset provisions of Title 51 RCW to the modified federal social security retirement age and continuing to allow the state to implement an offset otherwise imposed by the federal government.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Conforms the social security offset provisions of Title 51 RCW to the modified federal social security retirement age and continuing to allow the state to implement an offset otherwise imposed by the federal government.

-- 2004 REGULAR SESSION --

Feb 5 CL - Majority; 1st substitute bill be substituted, do pass.

Feb 6 Passed to Rules Committee for second reading.

HB 3062-S by House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Newhouse, Chandler and Hinkle)

Concerning modifications to WRIA plans.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that, if instream flows were established under the process provided by RCW 90.82.080, any modification to those flows must be made using the process in RCW 90.82.080.

-- 2004 REGULAR SESSION --

Feb 6 AGNR - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second reading.

https://docs.com/docs

Resolving manufactured/mobile home landlord and tenant disputes. Revised for 1st Substitute: Providing a dispute mechanism for manufactured/mobile home landlord and tenant disputes.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares an intent to provide a less costly and lengthy way for manufactured/mobile homeowners and park owners to resolve disputes, and to provide a mechanism for state authorities to quickly locate owners of manufactured housing communities.

Declares an intent to authorize the department of licensing to register mobile home parks or manufactured housing communities, conduct investigations, issue citations, and impose fines for violations of the manufactured/mobile home landlord-tenant act.

Provides that all mobile home parks and manufactured housing communities must be registered with the department.

Requires the department to compile the most accurate list possible of all the mobile home parks or manufactured housing communities in the state, the number of lots subject to chapter 59.20 RCW located in each mobile home park or manufactured housing community, and the names and addresses of the owners of these parks.

Requires each owner of a mobile home park or manufactured housing community to pay to the department an annual registration fee to fund the costs associated with administering this chapter. The fee must be set by rule and determined annually by the department, and may not exceed ten dollars for each mobile home or manufactured home that is subject to chapter 59.20 RCW within a park or community. Manufactured housing community owners or mobile home park owners may pass on no more than one-half the cost of this fee to tenants.

-- 2004 REGULAR SESSION --

Feb 6 TED - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Referred to Appropriations.

Feb 10 APP - Executive action taken by committee.

APP - Majority; do pass 1st substitute bill proposed by Trade & Economic Development.

Minority; do not pass.

Passed to Rules Committee for second reading.

HB 3112-S2 by House Committee on Transportation (originally sponsored by Representatives Cooper and D. Simpson)

Concerning marine fuel facilities.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Requires the department of ecology to work with stakeholders to develop a report describing: (1) The types of fueling practices being employed by covered vessels and ships

- (2) The current spill prevention planning requirements that are applicable under state and federal law for covered vessels and ships; and
- (3) The current spill response requirements under state

and federal law for covered vessels and ships.

Directs the department of ecology to report recommendations for regulatory improvements for covered vessel and ship fueling. These recommendations must include any new authorities that the department of ecology believes are necessary to establish a protective regulatory system for the fueling of covered vessels and ships. The department of ecology shall consider any applicable federal requirements and the state's desire to not duplicate federal vessel fueling laws. The department of ecology shall also provide recommendations for funding to implement recommendations.

Requires the department of ecology to deliver the report with its recommendations and findings to the appropriate committees of the legislature by December 15, 2004.

Requires the owner or operator for each onshore and offshore facility and any state agency conducting ship refueling or bunkering of more than one million gallons of oil on the waters of the state during any calendar year to prepare and submit to the department an oil spill prevention plan in conformance with the requirements of chapter 90.56 RCW.

Provides that, if specific funding for the purposes of section 2 and section 3 of this act, referencing these sections of this act by bill or chapter number, is not provided by June 30, 2004, in the 2003-2005 Transportation Budget, section 2 and section 3 of this act are null and void.

-- 2004 REGULAR SESSION --

Feb 9 TR - Majority; 2nd substitute bill be substituted, do pass.

Feb 10 Passed to Rules Committee for second reading.

HB 3113-S2 by House Committee on Transportation (originally sponsored by Representatives Cooper, Conway, McDermott, Dickerson, Hunt, Cody, Sullivan, Chase, Kenney, Haigh and G. Simpson)

Regarding requiring bargaining over past practices in ferry employee collective bargaining.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Provides that, to fulfill their responsibilities under RCW 47.64.120, the ferry system management and the ferry system employees shall negotiate as required under chapter 47.64 RCW regarding the practice of including specific clauses in Washington state ferry system requests for proposals for contracts to operate vessel galley services that would require the contractor to: (1) Give preference in hiring employees to perform services under the contract to

those galley employees that were providing vessel galley services under the contract with the previous food service operator; and

(2) Apply to its employees performing services under the contract the same terms and conditions that were applicable to employees providing vessel galley services under the contract with the previous food service operator.

Finds that the jurisdiction of the marine employees' commission is a matter of continuing and substantial public interest. This act is not intended to affect or impair the power of any court or judge having jurisdiction to review any decision of the marine employees' commission upon appeal as provided by chapter 47.64 RCW.

-- 2004 REGULAR SESSION --

Feb 9 TR - Majority; 2nd substitute bill be substituted, do pass.

Minority; do not pass.

Feb 10 Passed to Rules Committee for second reading.

HB 3117-S by House Committee on Trade & Economic Development (originally sponsored by Representatives Wallace, D. Simpson, Linville, Morrell, G. Simpson and Santos)

Increasing small business tax relief. Revised for 1st Substitute: Increasing the small business tax credit.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Increases small business tax relief to fifty dollars multiplied by the number of months in the reporting period, as determined under RCW 82.32.045.

-- 2004 REGULAR SESSION --

TED - Majority; 1st substitute bill be Feb 6 substituted, do pass.

Referred to Finance.

FIN - Executive action taken by committee. Feb 10 FIN - Majority; do pass without substitute by Technology, Telecommunications & Energy.

Passed to Rules Committee for second reading.

HB 3143-S by House Committee on Technology, Telecommunications & Energy (originally sponsored by Representatives Morris, Nixon, Hudgins, Sullivan and Chase)

Making findings on renewable energy and energy efficiency. Revised for 1st Substitute: Concerning energy efficiency and renewable energy standards.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that integrated resource planning provides a sound method for utilities to ensure that they can serve their customers' current and future needs, and can lead to significant development of renewable energy and energy efficiency.

Requires each electric utility to develop an integrated resource plan consistent with the provisions of this act. The plan shall be prepared on a biennial basis and, at a minimum, must include: (1) A range of forecasts of future customer demand using methods that examine the effect of economic forces on the consumption of electricity and that address changes in the number, type, and efficiency of electrical end-uses;

- (2) An assessment of technically feasible improvements in the efficient use of electricity, including load management and fuel switching, as well as currently employed and new policies and programs needed to obtain the efficiency improvements;
- (3) An assessment of technically feasible generating technologies including but not limited to renewable resources, cogeneration, power purchases, and thermal resources:
- (4) An evaluation comparing the cost-effectiveness of generating resources with the cost-effectiveness of improvements in the efficient use of electricity;
- (5) The integration of the demand forecasts and resource evaluations into a long-range integrated resource plan describing the mix of resources and efficiency measures that will meet current and future needs at the lowest reasonable cost to the utility and its ratepayers;
- (6) A short-term plan outlining the specific actions to be taken by the utility consistent with the long-range integrated resource plan; and
- (7) For all plans subsequent to the initial integrated resource plan, a progress report that relates the new plan to the previously filed plan.

Requires each consumer-owned utility to develop and publish a work plan for the preparation of an integrated resource plan. The work plan shall set forth the proposed content of the integrated resource plan, the proposed schedule of preparation, and provisions for public involvement in the preparation and review of the plan. The governing body of each utility shall approve an integrated resource plan only after it has provided public notice and hearing on the proposed plan. Each consumer-owned utility shall publish final integrated resource plans either as part of an annual report or as a separate document available to the public.

Requires each consumer-owned utility to transmit a copy of its integrated-resource plans to the department by July 31, 2006, and transmit subsequent plans every two years thereafter.

Provides that, every two years as part of its biennial report required under RCW 43.21F.045, the department shall review the integrated resource plans of consumerowned utilities and prepare a report to the legislature assessing the utilities' conformance with this act.

-- 2004 REGULAR SESSION --

Feb 6 TTE - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Passed to Rules Committee for second reading.

HB 3155-S by House Committee on Technology, Telecommunications & Energy (originally sponsored by Representative Morris)

Regarding energy efficiency.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares an intent to establish the framework for the creation of the Washington state conservation authority for the purpose of applying Washington's expertise and creativity in conservation techniques and financing to secure affordable electricity for high electricity-use industries.

Directs the department of general administration to develop recommendations for the establishment of the Washington state conservation authority.

Declares that the recommendations required by this act shall provide that the Washington state conservation authority have the authority to aggregate conservation savings from all levels of state and local government utilizing a combination of performance bonding and contract financing to generate energy conservation. The conservation gained from this effort may be provided to electricity consumers that require five megawatts or more at a target price of thirty-five dollars or less a megawatt hour.

Requires the department of general administration to submit recommendations, including draft legislation, required by this act to the appropriate committees of the legislature no later than December 1, 2004.

-- 2004 REGULAR SESSION --

Feb 6 TTE - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second reading.

Senate Bills

SB 5412-S3 by Senate Committee on Highways & Transportation (originally sponsored by Senators Brandland, Kline, Winsley, Haugen, Prentice, Reardon, Rasmussen, Eide and McCaslin)

Requiring biometric identifiers from applicants for driver's licenses and identicards.

(DIGEST OF PROPOSED 3RD SUBSTITUTE)

Declares it is the purpose of this act to significantly reduce identity theft and other fraud by preventing the fraudulent issuance of driver's licenses and identicards.

Declares that a person who violates RCW 9.35.020 is liable for civil damages of one thousand dollars or actual damages, whichever is greater, including costs to repair the victim's credit record, and reasonable attorney's fees as determined by the court.

Requires that: (1) No later than January 1, 2006, the department shall implement a voluntary biometric matching system for driver's licenses and identicards.

- (2) The biometric matching system selected by the department shall be capable of highly accurate matching, and shall be compliant with biometric standards established by the American association of motor vehicle administrators.
- (3) Upon the establishment of a biometric driver's license and identicard system as described in this section, the department shall allow every person applying for an original, renewal, or duplicate driver's license or identicard to voluntarily submit a biometric identifier.
- (4) The department may not disclose biometric information to the public or any governmental entity except when authorized by court order.
- (5) If Senate Bill No. 5428 or House Bill No. 1681 is enacted into law, this provision does not apply when an applicant renews his or her driver's license or identicard by mail or electronic commerce.

Authorizes the department to charge an additional fee of no more than two dollars for every original, renewal, or duplicate driver's license or identicard issued by the department. This fee shall be used exclusively for expenses related to adding biometric security to the driver's license and identicard.

Provides that the act shall be null and void if appropriations are not approved.

-- 2004 REGULAR SESSION --

Feb 10 HT - Majority; 3rd substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Feb 11 Placed on second reading by Rules Committee.

SB 5874-S by Senate Committee on Highways & Transportation (originally sponsored by Senators Jacobsen, Kline and Kohl-Welles)

Clarifying tolling authority of regional transportation investment districts.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that operations, preservation, and maintenance of toll-related facilities where toll revenues have been pledged for the payment of contracts is expressly authorized and may be included in a regional transportation investment plan.

Provides that, notwithstanding any provision to the contrary in chapter 47.56 RCW, a regional transportation investment district may impose vehicle tolls on either Lake Washington bridge upon approval of a majority of the voters voting on a regional transportation investment plan ballot measure within its boundaries as authorized in chapter 36.120 RCW and RCW 47.56.076.

-- 2004 REGULAR SESSION --

Feb 10 HT - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second reading.

SB 6110-S by Senate Committee on Highways & Transportation (originally sponsored by Senators Benton, Winsley, Carlson, Roach, Parlette, Johnson and Mulliken)

Authorizing a reduced license fee for personal use trailers.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that, in lieu of the license tab fees provided in RCW 46.16.0621, private use single-axle trailers of two thousand pounds scale weight or less may be licensed upon the payment of a license fee in the sum of fifteen dollars, but only if the trailer is operated upon public highways. The license fee must be collected annually for each registration year or fraction of a registration year.

Declares that this reduced license fee applies only to trailers operated for personal use of the owners, and not trailers held for rental to the public or used in any commercial or business endeavor. The fee from this act must be deposited in the state patrol highway account.

-- 2004 REGULAR SESSION --

Feb 10 HT - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Feb 11 Placed on second reading by Rules Committee.

SB 6321-S by Senate Committee on Highways & Transportation (originally sponsored by Senators Doumit and Haugen; by request of Department of Transportation)

Authorizing toll-free operation of the Puget Island ferry during emergency bridge closures.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Authorizes toll-free operation of the Puget Island ferry during emergency bridge closures.

Authorizes toll-free operation when the county has established fares comparable to those used for similar runs on the state ferry system, and the Longview-Rainier bridge or the Astoria-Megler bridge is closed due to emergency conditions.

-- 2004 REGULAR SESSION --

Feb 10 HT - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 6322-S by Senate Committee on Highways & Transportation (originally sponsored by Senators Oke and Haugen; by request of Department of Transportation)

Clarifying damages recoverable in highway accidents.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that, for purposes of RCW 46.44.110, the terms "damage" or "damages" include reasonable expenses incidental to repairing the damage to the structure or the cleaning of the accident site including, but not limited to, engineering costs, contract costs, traffic control activities, and equipment rental.

-- 2004 REGULAR SESSION --

Feb 10 HT - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 6483-S by Senate Committee on Highways & Transportation (originally sponsored by Senators Swecker, Haugen and Oke; by request of Department of Licensing)

Modifying commercial driver's license provisions.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises commercial driver's license provisions.

-- 2004 REGULAR SESSION --

Feb 10 HT - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 6570-S by Senate Committee on Land Use & Planning (originally sponsored by Senators Shin, Schmidt, Berkey, Keiser and Fairley)

Clarifying authority for local regulation of siting essential public facilities.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that no county or city may adopt a comprehensive plan or development regulation that precludes the siting of essential public facilities, except that this limitation shall not prevent a county or city from establishing in a plan or regulation: (1) A permitting process for proposals for essential public facilities that contains a reasonable and specific timeline for issuance of a permit decision;

- (2) Reasonable decision criteria relating to the siting, operation, and expansion of essential public facilities; and
- (3) A process for imposing reasonable conditions and mitigating measures addressing the impacts of essential public facilities.

-- 2004 REGULAR SESSION --

Feb 6 LU - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second reading.

SB 6587-S by Senate Committee on Land Use & Planning (originally sponsored by Senators Stevens and McCaslin)

Imposing fees to mitigate adverse environmental impacts.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares an intent: (1) To ensure that mitigation fees are imposed through established standards by which counties, cities, and towns may require by ordinance that new growth and development pay a reasonable cost only to mitigate specific adverse environmental impacts that are identified in the environmental documents prepared under this act;

- (2) To ensure that mitigation fees are imposed through established procedures and criteria so that specific developments do not pay arbitrary fees or duplicative fees for the same adverse environmental impact; and
- (3) To add process to current statutory authority for mitigation and not allow for additional authority than currently provided in RCW 43.21C.060.

Declares an intent that mitigation fees: (1) Only be imposed to mitigate specific adverse environmental impacts that are directly related to the new development; and

(2) Not exceed the proportionate share of the costs reasonably related to the specific adverse environmental impacts caused by the new development.

-- 2004 REGULAR SESSION --

Feb 6 LU - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second reading.

SB 6592-S by Senate Committee on Land Use & Planning (originally sponsored by Senators Morton, Hargrove, Mulliken, Rasmussen, Swecker, Horn, Haugen, T. Sheldon, McCaslin, Sheahan and Parlette)

Distinguishing growth management update responsibilities between slower and faster growing cities and counties.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Distinguishes growth management update responsibilities between slower and faster growing cities and counties.

-- 2004 REGULAR SESSION --

Feb 6 LU - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second

Passed to Rules Committee for second reading.

SB 6596-S by Senate Committee on Agriculture (originally sponsored by Senators Fraser, Keiser and Thibaudeau)

Concerning adulterated commercial feed.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that any person convicted of intentionally adding any animal protein prohibited in ruminant feed that is unsafe within the meaning of RCW 15.53.902(3) and rules adopted thereunder is guilty of a gross misdemeanor as provided in RCW 9A.20.021.

-- 2004 REGULAR SESSION --

Feb 6 AG - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Feb 11 Made eligible to be placed on second reading.

SB 6599-S by Senate Committee on Agriculture (originally sponsored by Senators Honeyford, Swecker, Parlette, Haugen, Sheahan and Rasmussen)

Monitoring cholinesterase.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that, in implementing any rules adopted pursuant to RCW 49.17.050(4) that require agricultural employers to implement a monitoring program for employees who handle category I or II organophosphate or N-methyl-carbamate pesticides, the department must collect and analyze data to determine whether mandatory testing is warranted and, if so, what thresholds of exposure to pesticides should trigger mandatory testing.

Provides that, upon receiving a report of a test showing actionable levels of cholinesterase depression, the department may contact the employer and offer assistance by means of a voluntary and nonpunitive consultation focused solely on pesticide workplace safety. Before conducting such consultation, the department will obtain a determination from the treating physician as to whether the physician has concluded that the depression is due to workplace exposure.

Requires that, by December 1st of each year, the department shall report the results of this data collection and analysis to the house of representatives committees on agriculture and natural resources, and commerce and labor, or their successor committees, and the senate committees on agriculture, and commerce and trade, or their successor committees. The department's report shall also identify any technical problems regarding testing or the administration of cholinesterase monitoring. Recommendations regarding legislation needed to resolve identified problems shall be presented in bill form.

Provides that, any rules adopted pursuant to RCW 49.17.050(4) that require agricultural employers to implement a monitoring program for employees who handle category I or II organophosphate or N-methyl-carbamate pesticides shall allow agricultural employers to seek reimbursement from the accident fund for the recordkeeping costs they incur in complying with such rules.

-- 2004 REGULAR SESSION --

Feb 6 AG - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

And refer to Ways & Means.

Referred to Ways & Means.

Feb 10 WM - Majority; 2nd substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second reading.

SB 6601-S by Senate Committee on Judiciary (originally sponsored by Senators Brandland, T. Sheldon, Stevens, Roach, Murray and Oke)

Limiting obesity lawsuits.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares an intent to prevent frivolous lawsuits against manufacturers, packers, distributors, carriers, holders, sellers, marketers, or advertisers of food products that comply with applicable statutory and regulatory requirements.

Provides that a manufacturer, packer, distributor, carrier, holder, seller, marketer, or advertiser of a food, or an association of one or more such entities, shall not be subject to civil liability arising under any law of this state, including all statutes, regulations, rules, common law, public policies, court or administrative decisions or decrees, or other state action having the effect of law, for any claim arising out of weight gain, obesity, a health condition associated with weight gain or obesity, or other generally known condition allegedly caused by or allegedly likely to result from long-term consumption of food.

Does not preclude civil liability where the claim of weight gain, obesity, health condition associated with weight gain or obesity, or other generally known condition allegedly caused by or allegedly likely to result from long-term consumption of food is based on: (1) A material

violation of an adulteration or misbranding requirement prescribed by statute or rule of the state of Washington or the United States and the claimed injury was proximately caused by such violation; or

(2) Any other material violation of federal or state law applicable to the manufacturing, marketing, distribution, advertising, labeling, or sale of food, provided that such violation is knowing and willful, and the claimed injury was proximately caused by such violation.

-- 2004 REGULAR SESSION --

Feb 6 JUD - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second reading.

Feb 11 Made eligible to be placed on second reading.

SB 6609-S by Senate Committee on Children & Family Services & Corrections (originally sponsored by Senators Hargrove, Brandland, Regala, Franklin and Rasmussen)

Revising timelines for sealing juvenile records.

reading.

Feb 11

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises timelines for sealing juvenile records.

-- 2004 REGULAR SESSION --

Feb 6 CFC - Majority; 1st substitute bill be substituted, do pass.
Passed to Rules Committee for second

reading.

Made eligible to be placed on second

SB 6638-S by Senate Committee on Government Operations & Elections (originally sponsored by Senators Roach, Rasmussen, Winsley, Benton and Oke)

Offering tax and fee exempt license plates to additional veterans.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides tax and fee exempt license plates to additional veterans.

Pertains to a person who was captured and incarcerated for more than twenty-four hours by an enemy of the United States during a period of war with the United States.

-- 2004 REGULAR SESSION --

Feb 6 GO - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 6642-S by Senate Committee on Children & Family Services & Corrections (originally sponsored by Senators Stevens, Hargrove, Schmidt, Carlson, Mulliken, Hewitt, Roach and McAuliffe)

Ordering family group conferences following shelter care hearings. Revised for 1st Substitute: Ordering case conferences following shelter care hearings.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Promotes family group conferences following shelter care hearings.

-- 2004 REGULAR SESSION --

Feb 6 CFC - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 6649-S by Senate Committee on Financial Services, Insurance & Housing (originally sponsored by Senators Benton, Keiser, Berkey and Winsley; by request of Department of Labor & Industries)

Retaining fees for mobile/manufactured homes and factory built housing and commercial structures.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Authorizes retaining fees for mobile/manufactured homes and factory built housing and commercial structures.

-- 2004 REGULAR SESSION --

Feb 6 FSIH - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second

reading.

Feb 11 Made eligible to be placed on second reading.

SB 6676-S by Senate Committee on Highways & Transportation (originally sponsored by Senators Murray, Haugen, Horn, Oke, Benton and Rasmussen; by request of Department of Licensing)

Permitting transfer of license plates.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that, if the sale or transfer is of a vehicle licensed with current standard issue license plates, the vehicle license plates may be retained and displayed upon a vehicle obtained in replacement of the vehicle so sold or transferred. If a person applies for a transfer of the plate or plates to another eligible vehicle, the plates must be transferred to a vehicle requiring the same type of plate.

Provides that a transfer fee of ten dollars must be charged in addition to all other applicable fees. The transfer fees must be deposited in the motor vehicle fund.

Provides that, whenever any person who has been issued personalized license plates applies to the department for transfer of such plates to a subsequently acquired vehicle or camper eligible for personalized license plates, a transfer fee of ten dollars shall be charged in addition to all other appropriate fees. Such transfer fees shall be deposited in the motor vehicle fund.

-- 2004 REGULAR SESSION --

Feb 10 HT - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second

Passed to Rules Committee for second reading.

SB 6680-S by Senate Committee on Highways & Transportation (originally sponsored by Senators Horn, Haugen, Esser, Spanel, Swecker, Oke, Prentice and Shin)

Improving freight mobility.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Recognizes the need to place a greater emphasis on the movement of freight in Washington state. A strong programmatic commitment is needed to focus current resources and direct new, ongoing funding toward freight corridor priorities and projects that expedite the movement of international cargo.

Recognizes that the transportation improvement board currently makes a ten million dollar biennial investment in such projects and has the engineering expertise required to

manage freight construction projects.

Declares an intent to consolidate the board's freight activities into a program that helps Washington to become a federal "center of excellence" and attracts new funding as part of the TEA-21 reauthorization. A freight investment account is created as a repository for federal funds and for any new state revenues dedicated to the ongoing support of freight mobility.

-- 2004 REGULAR SESSION --

Feb 10 HT - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 6701-S by Senate Committee on Highways & Transportation (originally sponsored by Senators Horn and Haugen)

Distributing SAFETEA funds.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires the highways and local programs division of the department to administer state flexible funds or like categorical funding authorized under the Safe, Accountable, Flexible, and Efficient Transportation Equity Act of 2003 (SAFETEA), or authorized under any federal surface transportation act that succeeds the Transportation Equity Act for the 21st century (TEA-21). The department shall distribute the funds as designated in the act.

-- 2004 REGULAR SESSION --

Feb 10 HT - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 6710-S by Senate Committee on Highways & Transportation (originally sponsored by Senators Horn, Haugen, Swecker, Spanel and Esser)

Adjusting transportation fees.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises transportation fees.

-- 2004 REGULAR SESSION --

HT - Majority; 1st substitute bill be Feb 10 substituted, do pass. Passed to Rules Committee for second reading.

Senate Joint Resolutions

by Senate Committee on Natural Resources, Energy & Water (originally **SJR 8225-S** sponsored by Senators Honeyford, Fraser and Rasmussen; by request of Governor Locke)

Amending the Constitution to authorize a water court.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Proposes an amendment to the state Constitution to authorize a water court.

-- 2004 REGULAR SESSION --NR - Majority; 1st substitute bill be substituted, do pass. Feb 6 Minority; do not pass. Passed to Rules Committee for second reading.

Section Sect	SI	ENATE	HOUS	E
\$8 6123				
SR 6125	SB 6123 Supp. 1	SB 6181 Supp. 3	HB 2323 Supp. 1	HB 2382-S Supp. 13
\$8 6.028.\$ Supp. 10 \$8 6.084.\$ Supp. 3 HB 2325-\$ Supp. 22 HB 2384.\$ Supp. 27 Supp. 13 Supp. 14 Supp. 14 Supp. 14 Supp. 14 Supp. 15 Supp. 1	SB 6124 Supp. 1	SB 6182 Supp. 3		HB 2383 Supp. 2
SR 6127				
88 6128. Supp. 1 S8 6187 Supp. 3 HB 2327 Supp. 1 HB 2386 Supp. 2 SB 61398. Supp. 2 SB 61398. Supp. 10 SB 61898. Supp. 20 SB 618		SB 6185 Supp. 3		HB 2384-S Supp. 21
S8 6128-S				
SB 6129-5	SB 6128-S Supp. 20	SB 6188 Supp. 3	HB 2328 Supp. 1	HB 2387 Supp. 2
S8 6130		SB 6189 Supp. 3 SB 6189-S Supp. 20		
SB 6131-S Supp. 10 SB 6191 Supp. 3 HB 2332 Supp. 1 HB 2392 Supp. 2	SB 6130 Supp. 1	SB 6190 Supp. 3	HB 2329-S Supp. 14	HB 2390 Supp. 2
S8 6132 Supp. 1 S8 6192 Supp. 3 HB 2332 Supp. 1 HB 2392 Supp. 4				
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